Executive Summary – Enforcement Matter – Case No. 50858 LAKESHORE UTILITY COMPANY RN101174902

Docket No. 2015-1120-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

East Lake Woods, 14251 East Ridge Circle near Arp, Smith County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 22, 2016

Comments Received: No.

Penalty Information

Total Penalty Assessed: \$984

Amount Deferred for Expedited Settlement: \$0 **Amount Deferred for Financial Inability to Pay:** \$0

Total Paid to General Revenue: \$984 **Total Due to General Revenue:** \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

$Investigation\ Information$

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 20, 2015 through May 1, 2015

Date(s) of NOE(s): May 1, 2015

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Violation Information

- 1. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director ("ED") each quarter by the tenth day of the month following the end of the quarter and failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a DLQOR [30 Tex. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3), and 290.122(c)(2)(A) and (f)].
- 2. Failed to mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and failed to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to persons served at the locations that were sampled in a manner consistent with TCEQ requirements [30 Tex. Admin. Code § 290.117(i)(6) and (j)].
- 3. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)].
- 4. Failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit DLQORs [30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs;
- ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the ED;

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- iii. Provide public notification regarding the failure to submit DLQORs for the first quarter of 2013, third quarter of 2013, fourth quarter of 2013, and second quarter of 2014, and provide a copy of each public notification to the ED;
- iv. Mail one copy of the consumer notification of lead tap water monitoring results to persons served at the locations that were sampled for the most recent monitoring period in which lead samples were collected; and
- v. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the most recent calendar year to each customer of the Facility.
- b. Within 45 days:
- i. Submit written certification to demonstrate compliance with a.;
- ii. Submit to the Commission a copy of the consumer notification provided to the persons served at the locations that were sampled for lead and the certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements; and
- iii. Submit to the TCEQ a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.
- c. Within 60 days, submit written certification to demonstrate compliance with b.ii. and b.iii.
- d. Within 90 days, begin submitting DLQORs to the ED each quarter by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting.
- e. Within 285 days, submit written certification to demonstrate compliance with d.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A

Settlement Date: N/A

Executive Summary – Enforcement Matter – Case No. 50858 LAKESHORE UTILITY COMPANY RN101174902 Docket No. 2015-1120-PWS-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Michaelle Garza, Enforcement Division,

Enforcement Team 2, MC R-13, (210) 403-4076; Melissa Cordell, Enforcement Division,

MC 219, (512) 239-2483

TCEQ SEP Coordinator: N/A

Respondent: Tim Whatley, President, LAKESHORE UTILITY COMPANY, 106 East

Corsicana Street, Athens, Texas 75751 **Respondent's Attorney:** N/A

Policy Revision Policy Revisio

Penalty Calculation Worksheet (PCW)

Policy Revision 4 (Ap	oril 2014)					PCW Revision	n March 26, 2014
TCEQ							
DATES Assigned	16-Jul-2015				e 30-Jun-2015	٦	
PCW	16-Jul-2015	Screening	g 16-Jul-2015	EPA Du	e 30-Jun-2015		
RESPONDENT/FACILI	TY INFORMATIO	N					
	LAKESHORE UTILI		NY			······································	
Reg. Ent. Ref. No.	RN101174902						
Facility/Site Region				Major	/Minor Source	Minor	

CASE INFORMATION	reare			1	Y': - l - k:	-[4	 1
Enf./Case ID No.	2015-1120-PWS-F			l N	o. of Violations Order Type		
Media Program(s)				Governm	ent/Non-Profit		
Multi-Media		<i>7</i> 1 y				Michaelle Garza	
				J		Enforcement Team	2
Admin. Penalty \$	Limit Minimum	\$50	Maximum	\$1,000			
		Pena	ilty Calcula	ation Sec	ction		
TOTAL BASE PENA	II TV / Cum of					Subtotal 1	\$450
IVIAL DASE PENA	(ETT (Sull) OF	violatio	n base pena	irieə		Subtotal 1	Ψ-130
ADJUSTMENTS (+	/-) TO SUBTO	TAL 1					
Subtotals 2-7 are o	btained by multiplying	the Total Bas					
Compliance Hi	story		35.0%	. Enhancemen	t Subt	otals 2, 3, & 7 📗	\$157
Nakaa	Enhanceme	at fan aans	n NOVa with the	camo/cimila	r violations		
Notes	Ennancemer	it for seve	n NOVs with the	: Same/Simila	violations.		
Culpability	No		0.0%	Enhancemen	t	_ Subtotal 4	\$0
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Notes	Ine Kes	sponaent c	loes not meet th	e culpability (лиена.		
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Good Faith Ef	fort to Comply To	otal Adius	stments			Subtotal 5	\$0
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Economic Ben		1400		• Enhancement* ed at the Total E		Subtotal 6	\$0
Estimate	Total EB Amounts d Cost of Compliance	\$400 \$681	— · · · · · · · · · · · · · · · · · · ·	eu at the rotar E	5 \$ Amount		
SUM OF SUBTOTA	LS 1-7					Final Subtotal	\$607
,	111641100111100101010000000000000000000						
OTHER FACTORS				62.1	%	Adjustment	\$377
Reduces or enhances the Fina	Subtotal by the indic	ated percent	age.			¬	
	Enhancement to	capture th	ne avoided costs	of compliance	e associated with	n	
Notes		vio	lation nos. 1, 2,	and 3.			
		· · · · · · · · · · · · · · · · · · ·			Final De	enalty Amount	\$984
					rillai Pe	manty Amount	3204
STATUTORY LIMI	TADHISTMEN	IT.			Final Acc	essed Penalty	\$984
O'A'O'OK! FINI	I UDADA STRIFT				, เมตเ ครร		7237
DEFERRAL				0.0	% Reduction	Adjustment	\$0
Reduces the Final Assessed F	enalty by the indicated	l percentage.	(Enter number onl	88 			
				-			
Notes	No c	leferral is	recommended fo	r Findings Or	ders.		
£						14 to	

\$984

PCW

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent LAKESHORE UTILITY COMPANY

Case ID No. 50858

Reg. Ent. Reference No. RN101174902

Media [Statute] Public Water Supply

Enf. Coordinator Michaelle Garza

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2) Enter Number Here Adjust. Component Number of... Written notices of violation ("NOVs") with same or similar violations as those in 35% the current enforcement action (number of NOVs meeting criteria) NOVs 0% Other written NOVs 0 Any agreed final enforcement orders containing a denial of liability (number of 0 0% orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders Orders without a denial of liability, or default orders of this state or the federal 0 0% government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial 0% of liability of this state or the federal government (number of judgments or 0 **Judgments** consent decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state 0 0% or the federal government Any criminal convictions of this state or the federal government (number of 0 0% Convictions counts) Chronic excessive emissions events (number of events) 0 0% Emissions Letters notifying the executive director of an intended audit conducted under the 0 Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0% 1995 (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0% disclosed) Please Enter Yes or No Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director 0% No under a special assistance program Other Participation in a voluntary pollution reduction program 0% No Early compliance with, or offer of a product that meets future state or federal No 0% government environmental requirements Adjustment Percentage (Subtotal 2) >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) Adjustment Percentage (Subtotal 7) Unclassified >> Compliance History Summary Compliance Enhancement for seven NOVs with the same/similar violations. History Notes Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 35% >> Final Compliance History Adjustment Final Adjustment Percentage *capped at 100%

PCW		Screening Date
Revision 4 (April 2014)		
vision March 26, 2014		Case ID No. Ent. Reference No.
٠.	Public Water Supply	
		Enf. Coordinator
		Violation Number
	5) 20 Tay, Admin, Codo SS 200 110(a)(4)(A) and (f)(2), and 200 127(a)(2)(A) and (f)	Rule Cite(s)
	30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3), and 290.122(c)(2)(A) and (f)	
	Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the	
	Executive Director each quarter by the tenth day of the month following the end of	
	the quarter for the second, third, and fourth quarters of 2014 and failed to provide	Violation Description
	public notification and submit a copy of the public notification to the Executive	
	Director regarding the failure to submit a DLQOR for the second quarter of 2014.	
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\$1,000	Base Penalty_	
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	Harm	
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		Potentia
		roterida
	\$	grammatic Matrix
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	Y Percent 5.0%	L
	100% of the rule requirements were not met.	Matrix
		Notes
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	Adjustment \$950	
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		ion Events
	of Violation Events 3 274 Number of violation days	Number of
	daily	
	weekly artistic monthly research	
\$150	quarterly Violation Base Penalty	mark only one with an x
	semjannual	with an x
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	single event x	
		Education
	Three single events are recommended.	
\$0	omply 0.0% Reduction	Faith Efforts to Cor
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	Faith Endits to Col
	Extraordinary	
	Ordinary	
	N/A (mark with x)	
	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
\$150	Violation Subtotal	
	for this violation Statutory Limit Test	omic Benefit (EB) fo
\$328	nated EB Amount \$84 Violation Final Penalty Total	Estima
\$328	This violation Final Assessed Penalty (adjusted for limits)	
\$ 320	inis violation final Assessed Fendity (adjusted for initials)	

Case ID No.							
eg. Ent. Reference No.							
	Public Water S	upply	•				Years of
Violation No.		-11,7				Percent Interest	Depreciation
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Item Description							
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Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land	\$45	20-Apr-2015	1-Apr-2016	0.00	\$0 \$2	n/a n/a	\$0 \$2
Record Keeping System Training/Sampling	\$100	20-Apr-2015	1-Apr-2016	0.95	\$ <u>5</u>	n/a	\$5
Remediation/Disposal		1 20 //81 2019	<u> </u>	0.00	\$0	n/a	\$0
Other Costs	\$100	20-Apr-2015	1-Apr-2016	0.95	\$5	n/a	\$5
Other (as needed) Notes for DELAYED costs	the Facilit requirement The other necessary pu	y's operational gus are properly acc calculated from r delayed costs inc blic notifications a	idance and con complished, incl the record revie clude the estima are provided, cal	duct er uding t ew date ated an Iculated	\$2 clayed costs includ nployee training to the timely submitte to the estimated nount to implement from the date of	n/a e the estimated amore that the seal of signed and cert date of compliance. It procedures to ensithe record review to	If-reporting ified DLQORs, ure that all the estimated
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Avoided Costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The record k the Facilit requirement The other necessary pu date of com notification public no ANNUAL \$66	eeping system an y's operational gu is are properly acc calculated from r delayed costs ine blic notifications a pliance and the ex x one missed not tification is provid	d training/samp idance and con complished, incl the record revie clude the estima ire provided, cal stimated amour ification) are pr ed to the Execu- bification to the I costs before 10-Jan-2015 estimated amo om the date the	bling deduct er uding tew date and culated at to en ovided at the estimate estimate at the estimate enterior of the estimate of the estimate enterior of the estimate enterior of the estimate enterior of the estimate enterior of the estimate estim	\$2 elayed costs includ inployee training to the timely submitte to the estimated incount to implement if from the date of sure thal all deline to persons served rector, calculated ated date of comp ing item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e the estimated ame of ensure that the seal of signed and cert date of compliance. In procedures to ensure the record review to quent public notifical by the Facility and from the due date of liance. for one-time avoidance. for one-time avoidance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ure that all the estimated in the public in the public in the estimated in

Screening Date 1		PCW
		Policy Revision 4 (April 2014)
Case ID No. 5 Reg. Ent. Reference No. F		PCW Revision March 26, 2014
Media [Statute]		
Enf. Coordinator		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 290.117(i)(6) and (j)	
	Failed to mail consumer notification of lead tap water monitoring results to person served at the locations that were sampled and failed to submit to the TCEQ a constant of the TCEQ and the sampled are submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ and the sampled are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and failed to submit to the TCEQ are sampled and the sampled are sampled are sampled are sampled and the sampled are sampled are sampled are sampled and the sampled are sampled and the sampled are sampled and the sampled are sampled are sampled and the sampled are sampled and the sampled are sampled are sampled are sampled are sampled and the sampled are sa	8
Violation Description	of the consumer notification and certification that the consumer notification habeen distributed to persons served at the locations that were sampled in a many	S
	consistent with TCEQ requirements for the 2014 monitoring period.	
	Base Pena	s1,000
>> Environmental, Propert	y and Human Health Matrix	
Release	Harm Major Moderate Minor	
OR Actual		
Potential	Percent 0.0%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor Percent 5.0%	
Matrix		
Notes	100% of the rule requirements were not met.	:
	Adjustment \$	950
		\$50
Violation Events		
violation Events		*.
Number of V	iolation Events 1 197 Number of violation days	
	daily	
	weekly This is a second of the	
mark only one	monthly Violation Base Pena	alty \$50
with an x	semiannual "Salata"	430
	annual <u>Figure</u>	
	single event x	
()		
	One single event is recommended.	
Good Faith Efforts to Comp	Sly 0.0% Reduct Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	tion\$0
	Extraordinary	
	Ordinary Control of the Control of t	
	N/A x (mark with x)	
	Notes The Respondent does not meet the good faith criteria for	
	this violation.	
	Violation Subto	otal \$50
Economic Benefit (EB) for		
Estimate	ed EB Amount \$57 Violation Final Penalty To	otal \$109
	This violation Final Assessed Penalty (adjusted for lim	its) \$109

	E	conomic I	Benefit	Wo	rksheet		
Respondent		ITILITY COMPANY		3400000004300			
Case ID No.	50858						
eg. Ent. Reference No.	RN101174902						
	Public Water S						Years of
Violation No.		аррі				Percent Interest	Depreciation
Violation Wo.						5.0	15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Onetime Costs	EB Amount
74 B							
Item Description	No commas or \$						
		14.5122.12242566662233615655666683	SACCIA CIALGANDA CONCEDENCIA				\$4884888888666665688888888
Delayed Costs	·			1 0 00	T 40	T +0 1	±0
Equipment		 		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings		 		0.00	\$0 \$0	\$0	\$0 \$0
Other (as needed) Engineering/Construction		 		0.00	\$0 \$0	\$0	\$0 \$0
Land		 		0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0 \$0
Training/Sampling		1		0.00	\$0	n/a	\$0
Remediation/Disposal		+		0.00	\$0	n/a	\$0
Permit Costs		 		0.00	\$0	n/a	\$0
Other (as needed)		╂		0.00	\$0	n/a	\$0
Notes for DELAYED costs							
Notes for DELAYED costs Avoided Costs	; ANNUAL	IZE [1] avoided	costs before			for one-time avoid	
	ANNUAL	IZE [1] avoided	costs before	0.00	\$0	\$0	\$0
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel Ispection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]				0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL \$53	IZE [1] avoided		0.00 0.00 0.00 0.00 0.00 1.46	\$0 \$0 \$0 \$0 \$0 \$0 \$4	\$0 \$0 \$0 \$0 \$0 \$0 \$53	\$0 \$0 \$0 \$0 \$0 \$0 \$57
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	\$53	31-Dec-2014	16-Jul-2015	0.00 0.00 0.00 0.00 0.00 0.00 1.46 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$4 \$0	\$0 \$0 \$0 \$0 \$0 \$53 \$53	\$0 \$0 \$0 \$0 \$0 \$57 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$53 The avoide 2014 monitor	31-Dec-2014 d cost includes the ring period to pers	16-Jul-2015 e estimated am	0.00 0.00 0.00 0.00 0.00 1.46 0.00 ount to	\$0 \$0 \$0 \$0 \$0 \$4 \$0 prepare and mail	\$0 \$0 \$0 \$0 \$0 \$0 \$53	\$0 \$0 \$0 \$0 \$0 \$57 \$0 cation for the [((\$0.50 × five
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$53 The avoide 2014 monitor	31-Dec-2014 d cost includes the ring period to pers	16-Jul-2015 e estimated am sons served at to one monitoring	0.00 0.00 0.00 0.00 0.00 1.46 0.00 ount to the loca period]	\$0 \$0 \$0 \$0 \$0 \$4 \$0 prepare and mail	\$0 \$0 \$0 \$0 \$0 \$53 \$0 the consumer notificampled and to TCEQ	\$0 \$0 \$0 \$0 \$0 \$57 \$0 cation for the [((\$0.50 x five
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$53 The avoide 2014 monitor	31-Dec-2014 d cost includes the ring period to pers	16-Jul-2015 e estimated am sons served at to one monitoring	0.00 0.00 0.00 0.00 0.00 1.46 0.00 ount to the loca period]	\$0 \$0 \$0 \$0 \$0 \$4 \$0 prepare and mail ations that were sa , calculated from t	\$0 \$0 \$0 \$0 \$53 \$0 the consumer notification and to TCEQ the date the consum	\$0 \$0 \$0 \$0 \$0 \$57 \$0 cation for the [((\$0.50 × five

Screening Date		PCW
and the second of the second o		cy Revision 4 (April 2014)
Case ID No.		/ Revision March 26, 2014
Reg. Ent. Reference No.		•
Media [Statute] Enf. Coordinator		
Violation Number	3	
Rule Cite(s)	70 Toy, Admin. Coda SS 200 271/b) and 200 274(c) and (c)	
	30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)	
Violation Description	Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information if the CCR is correct and consistent with compliance monitoring data for the years 2012 and 2013.	
	Base Penalt	y \$1,000
>> Environmental, Prope	ty and Human Health Matrix	
	Harm	
Release OR Actual		
Potential		
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	Percent 5.0%	
		7
Matrix	100% of the rule requirements were not met.	
Notes	100 % of the raie requirements were not meta	
<u> </u>		4
	Adjustment \$95	<u>i0</u>
		\$50
		\$30
Violation Events		
Number of	Violation Events 2 Number of violation days	-
	dally	
	weekty	
	monthly	
mark only one with an x	quarterly Violation Base Penalt	y \$100
	semiannual	
	annual single event x x x	
	single event.	
		1
	Two single events are recommended.	
	hadaya	n \$0
Good Faith Efforts to Con	nply 0.0% Reductio Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	N
	Extraordinary	
	Ordinary	
	N/A x (mark with x)	
	The Recondent does not the good faith criteria for	
	Notes The Respondent does not meet the good faith criteria for this violation.	
		-
	Violation Subtota	al \$100
	Violation Subtota	3100
Economic Benefit (EB) fo	r this violation Statutory Limit Test	
		+0.0
Estima	ted EB Amount \$249 Violation Final Penalty Total	al \$219
	This violation Final Assessed Penalty (adjusted for limits	\$219

Respondent LAKESHORE UTILITY COMPANY Case ID No. 50858		E(conomic I	Benefit	wo	rksneet		
Notes for DELAYED costs Notes for Delayed Costs Percent Interest	Respondent	LAKESHORE U	TILITY COMPANY					
Violation No. 3 Violation No. 5.0 1!	Case ID No.	50858						
Violation No. 3 Violation No. 5.0 1!	ea. Ent. Reference No.	RN101174902						
Titem Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount								Years of
Titem Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount			~~~~,				Percent Interest	Depreciation
Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount	violation ito.	,					F.0	
Delayed Costs							Baranta managan makaka katalan da katalan da katalan katalan katalan katalan katalan katalan katalan katalan k	
Delayed Costs		Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment Buildings	Item Description	No commas or \$						
Equipment Buildings		440		· · · · · · · · · · · · · · · · · · ·			,	
Equipment Buildings	Delayed Costs							
Buildings	Annabada Application of Control o		T T		0.00	\$0	\$0	\$0
Other (as needed) Engineering/Construction 0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$						\$0	\$0	\$0
Comparison Com					0.00		\$0	\$0
Land								
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED Costs Disposal Personnel Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs One of the cost o	-						1000000000000000000000000000000000000	
Training/Sampling							 	
Notes for DELAYED costs			1					
Notes for DELAYED costs	· -						4	
Notes for DELAYED costs AVOIDED Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Disposal Personnel Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) 0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$			 	**************************************				
Avoided Costs Disposal Personnel Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) 0.00 \$0								
Disposal Personnel Disposal Personnel Disposal Disposa	Notes for DELAYED costs							
Disposal Personnel Disposal Personnel Disposal Disposa	Avoided Costs	ANNIAI	IZE [1] avoided	costs before	enteri	na item (except	for one-time avoi	ded costs)
Personnel							.,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs Notes for AVOIDED costs Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2012 and 2013 calculated from the due date of the 2012 CCR to the screening date.	·		1					
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) CCRs to the customers of the Facility and to TCEQ [((\$0.50 x 117 connections) + \$50) x two years], calculated from the due date of the 2012 CCR to the screening date.								
Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs Notes for AVOIDED costs Other (as needed) The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2012 and 2013 or a calculated from the due date of the 2012 CCR to the screening date.								
ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs \$217								
Notes for AVOIDED costs Notes for AVOIDED costs Notes for AVOIDED costs Other (as needed) The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2012 and 2013 an		\$217	1-10-2013	16-10-2015				
Notes for AVOIDED costs The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2012 and 2013 CCRs to the customers of the Facility and to TCEQ [((\$0.50 x 117 connections) + \$50) x two years], calculated from the due date of the 2012 CCR to the screening date.			1 1 1 1 1 1 1 1	**************************************	=			
Notes for AVOIDED costs CCRs to the customers of the Facility and to TCEQ [((\$0.50 x 117 connections) + \$50) x two years], calculated from the due date of the 2012 CCR to the screening date.	outer (as needed)							
calculated from the due date of the 2012 CCR to the screening date.		The avoided	cost includes the e	stimated amou	nt to p	repare and mail or	directly deliver the	2012 and 2013
calculated from the due date of the 2012 CCR to the screening date.	Notes for AVOIDED costs							
100 mm 1								
Approx. Cost of Compliance \$217 TOTAL \$249			- Concorded II					
Approx. Cost of Compliance \$217 TOTAL \$249								
	Approx. Cost of Compliance		\$217			TOTAL		\$24

Screening Date		PCW
		Policy Revision 4 (April 2014)
Case ID No.		PCW Revision March 26, 2014
Reg. Ent. Reference No.		
Media [Statute] Enf. Coordinator		
Violation Number	4 4	
Rule Cite(s)	20 Toy Admin Code \$ 200 122(c)(2)(A) and (f)	
	30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)	
	Failed to provide public notification and submit a copy of the public notification	to
Violation Description	the Executive Director regarding the failure to submit DLQORs for the first quarte 2013, third quarter of 2013, and fourth quarter of 2013.	er of
	2013, third quarter of 2013, and fourth quarter of 2013.	
	Base Pen	alty \$1,000
>> Environmental, Proper	ty and Human Health Matrix	
Release	Harm Major Moderate Minor	
OR Actual		
Potential		
>>Programmatic Matrix	Market Market Market	
Falsification	Major Moderate Minor x Percent 5.0%	
<u> </u>	X Percent 5.0%	
Matrix	100% of the rule requirements were not met.	
Notes		
	Adjustment \$	950
		\$50
Violation Events		
Number of V	Violation Events 3 87 Number of violation days	
raniber of	Violation 2.10160	
	daily	
	weekly	
mark only one	monthly	-1t ¢150
with an x	quarterly Violation Base Pen	alty \$150
	semiannualannual	
	single event x	
	Three single events are recommended.	
Good Faith Efforts to Com	ply 0.0% Reduc	tion \$0
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary	
	Ordinary Ord	
	N/A (mark with x)	
	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
	Violation Subt	otal \$150
Economic Benefit (EB) for	this violation Statutory Limit Test	
Estimat	ed EB Amount \$10 Violation Final Penalty To	otal \$328
motified.	· • • • • • • • • • • • • • • • • • • •	
	This violation Final Assessed Penalty (adjusted for lim	its) \$328

Case ID No.							
g. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Deprectation
violation ivo.	4					5.0	15
	Trem Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
				1606111002			441419000000000000000000000000000000000
Delayed Costs		11		1	+0	1 40 1111	
Equipment		 		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings		-		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
			Cara cerative en en encaración	N 0.00	. ⊅∪	t ura	
Permit Costs		1		0.00	\$0	n/a	\$0
Permit Costs Other (as needed) Notes for DELAYED costs	with violatio	n no. 1. The other	delayed cost in	0.00 2.73 proced	\$0 \$10 dures is included in the estimated am	n/a n/a n the economic bene sount to ensure that	\$0 \$10 efit associated all delinquent
Other (as needed) Notes for DELAYED costs	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	0.00 2.73 proceduction proceduction proceduction proceduction	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate	n the economic bene nount to ensure that are provided to persuitive Director, calcud d date of compliance	\$0 \$10 efit associated all delinquent ons served by lated from the e.
Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	0.00 2.73 procedudes ee miss n is pro	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate on to the estimate	n the economic bene lount to ensure that are provided to persuitive Director, calcud d date of compliance for one-time avoid	\$0 \$10 efit associated all delinquent ons served by lated from the e.
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	procedudes ee missen is proteitification	\$0 \$10 dures is included in the estimated am seed notifications) a povided to the Exec on to the estimate ing item (except	n the economic beneatount to ensure that are provided to persuitive Director, calculd date of compliance for one-time avoid	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	proceduction of the control of the c	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate ing item (except \$0 \$0	n the economic beneatount to ensure that are provided to persure that divided to persure of compliance divided to the compliance of the co	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Dection/Reporting/Sampling	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	proceducing proced	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate ng item (except \$0 \$0	n/a n/8 n the economic beneatount to ensure that are provided to persuitive Director, calcuid date of compliance for one-time avoid \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Pection/Reporting/Sampling Supplies/Equipment	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	proceduction is protein is protein is protein is protein is protein in its pro	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate ag item (except \$0 \$0 \$0	n/a n/a n/a n the economic bene- nount to ensure that are provided to persuitive Director, calcud date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	proceed cludes ee misse enterior 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$10 dures is included in the estimated am sed notifications) a poided to the Execution to the estimate. In gitem (except \$0 \$0 \$0 \$0 \$0 \$0	n the economic bene- nount to ensure that are provided to persuitive Director, calcud date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	procedudes ee missing is protein tification entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$10 dures is included in the estimated am sed notifications) a ovided to the Exec on to the estimate ag item (except \$0 \$0 \$0	n/a n/a n/a n the economic bene- nount to ensure that are provided to persuitive Director, calcud date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	proceed cludes ee misse enterior 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$10 dures is included in the estimated am sed notifications) a poided to the Execution to the estimate so	n/a n/a n/a n the economic beneatount to ensure that are provided to persuitive Director, calculud date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed with violatio public notific the Facility a	l cost related to pi n no. 1. The other cations (\$25 per n ind a copy of the p due date of the e	ublic notification delayed cost in otification x throublic notificatio arliest public no	procedudes ee missing is protein tification entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$10 dures is included in the estimated am sed notifications) a poided to the Execution to the estimate so	n/a n/a n/a n the economic beneatount to ensure that are provided to persuitive Director, calculud date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$10 efit associated all delinquent ons served by lated from the e. ded costs) \$0 \$0 \$0 \$0 \$0

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN601356306, RN101174902, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN601356306, LAKESHORE UTILITY COMPANY

Classification: UNCLASSIFIED Rating: ----

or Owner/Operator:

Regulated Entity:

RN101174902, EAST LAKE WOODS

Classification: NOT APPLICABLE Rating: N/A

Complexity Points:

N/A

Repeat Violator: N/A

CH Group:

14 - Other

Location:

14251 EAST RIDGE CIRCLE NEAR ARP, SMITH COUNTY, TEXAS

TCEQ Region:

REGION 05 - TYLER

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2120097

WATER LICENSING LICENSE 2120097

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: July 16, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 16, 2010 to July 16, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Michaelle Garza

Phone: (210) 403-4076

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

3) If YES for #2, who is the current owner/operator? N/A

4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A

5) If YES, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1

December 20, 2013

(1138140)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1

Self Report? NO

09/12/2014 (1247355)

CN601356306

Classification:

Moderate

Citation:

Date:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 4th quarter of 2013.

Page 1

Self Report?

Classification:

Moderate

Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 3Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 3rd quarter of 2013.

2 Date:

10/16/2014 (1247355)

CN601356306

Classification:

Self Report? NO

> 30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

Citation:

CCR 2013 - The system failed to provide the Consumer Confidence Report (CCR)

for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

3 Date:

10/23/2014 (1247355) CN601356306

Self Report? NO

Classification: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

Citation:

DLQOR MR 2Q2014 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the 2nd quarter of 2014 within the required

timeline.

Date:

01/14/2015 (1247355) Self Report? NO

CN601356306

Classification:

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 3Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required

timeline.

5

Date: Self Report?

02/05/2015 (1247355)

CN601356306

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 2Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 2nd quarter of 2014.

6

Date: Self Report?

02/23/2015 (1247355)

NO

CN601356306

Classification: Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.117(i)(6) 30 TAC Chapter 290, SubChapter F 290.117(j)

Description:

LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during

06/01/2014 to 09/30/2014.

7 Date: 04/08/2015 (1247355)

CN601356306

Self Report?

Classification:

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 4th quarter of 2014 within the required

timeline

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs): $_{\rm N/A}$

 $\label{eq:H.Voluntary} \textbf{H. Voluntary on-site compliance assessment dates:}$

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Respondent:

CN601356306, Lakeshore Utility Company

Regulated Entity:

RN101174902, EAST LAKE WOODS

Component Appendices

Appendix A

All NOVs Issued During Component Period 7/16/2010 and 7/16/2015

1

Date:

12/12/2011

(1247355)

CN601356306

Moderate

Self Report?

NO

For Intormational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2010 - The system failed to provide the Consumer Confidence Report (CCR) for 2010 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

2*

Date:

11/14/2013

(1247355)

CN601356306

Classification:

Classification:

Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

3*

Date:

02/26/2014

(1247355)

CN601356306

Moderate

Self Report?

NO

For Informational Purposes Only

Classification:

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 1Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 1st quarter of 2013.

Date:

09/12/2014

(1247355)

CN601356306

Classification:

Moderate

Self Report?

For Informational Purposes Only 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

Citation:

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 4th quarter of 2013.

Classification:

Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 3Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 3rd quarter of 2013.

5

Date:

10/16/2014

NO

(1247355)

CN601356306 Classification:

Moderate

Self Report? NO For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2013 - The system failed to provide the Consumer Confidence Report (CCR)

for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following

6

Date:

10/23/2014

(1247355)

CN601356306

Classification:

Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 2Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2014 within the required

timeline.

7

Date:

01/14/2015

(1247355)

CN601356306

Classification:

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 3Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required

timeline.

8

02/05/2015 Date:

(1247355)

CN601356306

Classification:

Moderate

Self Report?

Citation:

For Informational Purposes Only

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) 30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

DLQOR MR PN 2Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 2nd quarter of 2014.

9

Date:

02/23/2015

(1247355)

CN601356306

CN601356306

Classification: Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.117(i)(6) 30 TAC Chapter 290, SubChapter F 290.117(j)

Description:

LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during

06/01/2014 to 09/30/2014.

10

04/08/2015 Date:

(1247355)

Classification: Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLOOR MR 402014 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the 4th quarter of 2014 within the required

timeline.

^{*} NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

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Item 1	December 02, 2010**	For Informational	Purposes Only
Item 2*	December 20, 2013**	(1138140) For Informational	Purposes Only
Item 3	April 28, 2015	(1247355) For Informational	Purposes Only
Item 4	May 01, 2015	(1247528) For Informational	Purposes Only

^{*} No violations documented during this investigation **Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

Texas Commission on Environmental Quality



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
LAKESHORE UTILITY COMPANY	§	
RN101174902	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2015-1120-PWS-E

At its	agenda, the Texas Commission on Environmental Quality
("the Commission" or "TCEQ	") considered this agreement of the parties, resolving an
enforcement action regardin	g LAKESHORE UTILITY COMPANY (the "Respondent") under the
authority of TEX. HEALTH & S	AFETY CODE ch. 341. The Executive Director of the TCEQ, through
the Enforcement Division, ar	d the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 14251 East Ridge Circle near Arp, Smith County, Texas (the "Facility") that has approximately 117 service connections and serves at least 25 people per day for at least 60 days per year.

- 2. During a record review conducted from April 20, 2015 through May 1, 2015, TCEQ staff documented that the Respondent did not submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter for the second, third, and fourth quarters of 2014 and did not provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR for the second quarter of 2014.
- 3. During a record review conducted from April 20, 2015 through May 1, 2015, TCEQ staff documented that the Respondent did not mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and did not submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to persons served at the locations that were sampled in a manner consistent with TCEQ requirements for the 2014 monitoring period.
- 4. During a record review conducted from April 20, 2015 through May 1, 2015, TCEQ staff documented that the Respondent did not mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and did not submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for the years 2012 and 2013.
- 5. During a record review conducted from April 20, 2015 through May 1, 2015, TCEQ staff documented that the Respondent did not provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs for the first quarter of 2013, third quarter of 2013, and fourth quarter of 2013.
- 6. The Respondent received notice of the violations on May 4, 2015.

II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2, the Respondent failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the quarter and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR, in violation of 30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3), and 290.122(c)(2)(A) and (f).
- 3. As evidenced by Findings of Fact No. 3, the Respondent failed to mail consumer notification of lead tap water monitoring results to persons served at the locations that

were sampled and failed to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to persons served at the locations that were sampled in a manner consistent with TCEQ requirements, in violation of 30 Tex. Admin. Code § 290.117(i)(6) and (j).

- 4. As evidenced by Findings of Fact No. 4, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c).
- 5. As evidenced by Findings of Fact No. 5, the Respondent failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs, in violation of 30 Tex. ADMIN. CODE § 290.122(c)(2)(A) and (f).
- 6. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 7. An administrative penalty in the amount of Nine Hundred Eighty-Four Dollars (\$984) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent has paid the Nine Hundred Eighty-Four Dollar (\$984) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Nine Hundred Eighty-Four Dollars (\$984) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: LAKESHORE UTILITY COMPANY, Docket No. 2015-1120-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 Tex. Admin. Code § 290.110;
 - ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the Executive Director, in accordance with 30 Tex. Admin. Code § 290.122;
 - iii. Provide public notification regarding the failure to submit DLQORs for the first quarter of 2013, third quarter of 2013, fourth quarter of 2013, and second quarter of 2014, and provide a copy of each public notification to the Executive Director, in accordance with 30 Tex. ADMIN. CODE § 290.122;
 - iv. Mail one copy of the consumer notification of lead tap water monitoring results to persons served at the locations that were sampled for the most recent monitoring period in which lead samples were collected, in accordance with 30 Tex. ADMIN. Code § 290.117; and
 - v. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the most recent calendar year to each customer of the Facility, in accordance with 30 Tex. Admin. Code § 290.274.
 - b. Within 45 days after the effective date of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.v.;
 - ii. Submit to the Commission a copy of the consumer notification provided to the persons served at the locations that were sampled for lead and the certification that the consumer notification has been distributed in a

manner consistent with TCEQ requirements, in accordance with 30 TEX. ADMIN. CODE § 290.117. The consumer notification and the certification shall be mailed to:

Public Drinking Water Section Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- iii. Submit to the TCEQ a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 Tex. Admin. Code § 290.274. The copy of the CCR and certification shall be mailed to the address listed in Ordering Provision No. 2.b.ii.
- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.b.ii. and 2.b.iii.
- d. Within 90 days after the effective date of this Agreed Order, begin submitting DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

e. Within 285 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false

information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

LAKESHORE UTILITY COMPANY DOCKET NO. 2015-1120-PWS-E Page 7

- 8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission. including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 9. Pursuant to 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

LAKESHORE UTILITY COMPANY DOCKET NO. 2015-1120-PWS-E Page 8

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ramo Maure of	6/9/16
For the Executive Director	Date
I, the undersigned, have read and understand the attack LAKESHORE UTILITY COMPANY. I am authorized to behalf of LAKESHORE UTILITY COMPANY, and do agronditions. I further acknowledge that the TCEQ, in ac is materially relying on such representation.	agree to the attached Agreed Order on tree to the specified terms and
I understand that by entering into this Agreed Order, L certain procedural rights, including, but not limited to, addressed by this Agreed Order, notice of an evidentiar hearing, and the right to appeal. I agree to the terms of evidentiary hearing. This Agreed Order constitutes full Commission of the violations set forth in this Agreed Order.	y hearing, the right to an evidentiary The Agreed Order in lieu of an and final adjudication by the
 I also understand that failure to comply with the Order and/or failure to timely pay the penalty amount, may re A negative impact on compliance history; Greater scrutiny of any permit applications sub Referral of this case to the Attorney General's O additional penalties, and/or attorney fees, or to Increased penalties in any future enforcement a Automatic referral to the Attorney General's Off and TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance docume 	esult in: mitted; ffice for contempt, injunctive relief, a collection agency; ctions; fice of any future enforcement actions; ents may result in criminal prosecution.
Signature Signature	Date Desident
Name (Printed or typed) Authorized Representative of LAKESHORE UTILITY COMPANY	Pasay
Instructions: Send the original, signed Agreed Order with penalty Division, Revenue Operations Section at the addres	payment to the Financial Administration s in Section III, Paragraph 1 of this Agreed Order.